Marriage Licenses.

Charles Wilson and Mary C. Wall. Villiam D. Thompson and Estella A. Stader. Charles Denny and Sylvia Webber. John J. Patterson and Dora R. Alter.

Deaths.

Sophia D. Yokey, twenty-eight years, Indian Patrick Brennen, sixty-three years, 1332 Woodawa, strangulated hernia. Giendora Blackwell, nineteen years, 307 North William E. Branford, one year, 712 Maxwell, Barabo Karibo, sixty-eight years, 1203 East Frederick Brieschings, thirty-one years, Gustav Weinks, one year, 249 Iowa, malnutri Francis St. Glazier, eighty-one years, 1017 North Senate, old age. Frank Irmansnek, fifty-five years, City Hos Fannie McKinley, forty-nine years, 606 North lugenia Melts, two years, 521 Bright, croup.

DIED.

HILL-George W., aged seventy-nine years and six months, at family residence, 212 South street, Monday, March 9, at 10 p. m. Funeral Thursday, March 12; at 2 p. m., from resi-ERWIN-Demia Townley, March 9, heart fail-ure, at residence, 1408 North Meridian street, aged twenty-one years. Funeral from residence ednesday, March 11, at 2 p. m. Burial private.

MONUMENTS.

MONUMENTS-Krumshield, 212 E. Ohio st. MONUMENTS-M. H. Farrell, 241 West Washington st. New 'Phone 2418, Tel. 2525. Branch works E. entrance Crown Hill. MUNUMENTS—For high-class monuments and mausoleums from the celebrated granite quar-ries of McDonnell & Sons, the famous manufac-turers, address HENRY MYERS, Western manager, the Chalfant, Indianapolis.

FUNERAL DIRECTORS.

TUTEWILER & SON, Undertakers, 129 W. Market st. Tel. 216. JOHNSON, HASSLER & GEORGE, 357 Massa-chusetts av. New 'Phone 963. Old Main 1430. BOTH 'PHONES 250 C. E. KREGELO SELLS A BURGLAR-PROOF VAULT THAT GHOULS CANNOT BREAK. 223 N. DELAWARE ST.

FLANNER & BUCHANAN-(Licensed balmers.) Can ship diphtheria and scarlet fever. Lady embalmer for indies and children. 320 N. Illi-nois street. Telephone 641, new or old.

JOURNAL BUSINESS DIRECTORY. FUNERAL DIRECTORS-

FRANK BLANCHARD, 39 N. Delaware st. Tel. 411. Lady attendant. BERTERMANN BROS.,

New No. 241 Mass. av., 228 N. Del. st. Tel. 840. THOMPSON R. BELL, consulting engineer and patent attorney, 55 Ingalis block, Indianapolis. SALE AND LIVERY STABLES-

HORACE WOOD. (Carriages, Traps, Buck cards, etc.) 25 Circle. Tel. 1007. THE PEERLESS FOUNDRY, 710-18 E. Maryland, manufactures stove repairs and do repair-

FOR SALE-REAL ESTATE.

REAL ESTATE—One sixty-acre and one eighty-acre farm; near city. G. M. BALARD, 120 REAL ESTATE—A big bargain; 80 acres; in cultivation; good buildings; on rural route; 6 miles from Winamac; \$37.50 per acre. D. P. BOND & SON, Winamac, Ind.

FOR SALE-MISCELLANEOUS.

FOR SALE-Or Rent: Invalid and reclining chairs. W. D. ALLISON CO., 905 N. Alabama. FUR SALE-One Dean Bros. duplex power pump. Inquire W. LARUE, at the Chalfant, corner of Pennsylvania and Michigan streets. FOR SALE-

Typewriters, all makes, \$5 up.
Machines rented, \$2.50 per month.
TYPEWRITER EXCHANGE, 32 Monument pl

CIGAR STORE FOR SALE.

A FINE STAND AT A BARGAIN. CALL TO-DAY. 214 MASSACHUSETTS AV.

FOR RENT-HOUSES. FOR RENT-See list at 131 E. Market; ground floor. GREGORY & APPEL.

FOR RENT-ROOMS.

FOR RENT-The large dining room in the Wind-sor building, corner Illinois and Market sts.

WANTED-MALE HELP.

hoto printer. EDW. W. SCHUMANN, Com-relal Photographer, 2502 Cass av., St. Louis,

WANTED-Permanent position for a man of good habits and energy to represent large mannacturing establishment known to every bank in the United States; salary, \$900 per year and expenses; opportunity for advancement. Apply,

ing age and qualifications, to MANAGER. lent. F. Box 429, Chicago, 111. ANTED-Recruits for the United States Matween the ages of 21 and 35 years, not less than feet 4 inches and not over 6 feet 1 inch in he use of liquor; must be citizens of the United states or persons who have legally declared ir intentions to become citizens, able to read write English properly, as well as speak it. minors or married men will be accepted. is insportant branch of the Naval Service oders SPECIAL INDUCEMENT TO REof WORTHY NONCOMMISSIONED OFFICERS to SECOND LIEUTENANTS. Mated for a period of four years, and als to \$44 per month. *Clothing, board and mediattendance are provided in addition to pay, ply at U. S. MARINE CORPS RECRUITING

er of Pennsylvania and Ohio streetes. WANTED-FEMALE HELP. WANTED-Scrubwomen. Apply 33 South Merid-

E. Room 730 Newton Claypool Bldg., cor

WANTED-SALESMEN.

WANTED-Salesman familiar with city grocery trade to handle first-class specialty line; bo d reference required; state age and experience.

WANTED-MISCELLANEOUS.

WANTED-Squabs. F. G. KAMPS FISH AND OYSTER CO., 40 Virginia av.

If you have anything to buy, sell or trade make that fact known through the Sunday Journal want ads. You will get the desired results.

All advertisements inserted in these columns harged at the very low rate of 5 cents a Blank or dash lines at the same price per Telephone 238 and your ad, will be called

NOTICE.

NOTICE-JOSEPH GARDNER, tin work and furnaces, 29 Kentucky av. Telephone 322. ADDICK-JOSEPH GARDNER, tin work and furnaces. 39 Kentucky av. Telephone 322. NOTICE-City chimney sweep; flues cleaned, re-paired; chimney doctor. 34 E. Ohio. New 'phone 1708

A CARD LIKE THIS day for one year costs but \$1.95 per The Journal want page is profitable to the advertiser and reader.

NOTICE-

SEALED PROPOSALS.

NOTICE TO BIDDERS. lotice is hereby given that the Board of Coun-Commissioners of Wayne county, State of Insaid county until 11 o'clock a. m. of Thursday, April 9, 1960, for the construction of a new buildng at the Wayne county poor farm, located at two miles west of Centerville, in Center ownship. Wayne county. Indiana.

Purther notice is hereby given that plans and pecifications for said building are on file in the filee of the county auditor of Wayne county. Indiana and also in the office of the architect, iolin A. Hascoster, Richmond, Ind.

PETER S. BEELER.

GEORGE W. CALLOWAY.

JOHN DYNES.

Commissioners of Wayne County

mers of Wayne County.

STORAGE-The Union Transfer and Storage Company, corner East Ohio st. and Union tracks; only first-class storage solicited. Crating and packing. 'Phones 725, W. E. Kurtz, Pres. H. A. Crossland, Mgr.

517-523 S. Penn. Telephone 1343. We STORE, PACK and HAUL.

FINANCIAL-Insure with FRANK SAWYER. LOANS-Money on mortgages. C. F. SAYLES FINANCIAL-Money to loan; private funds low-est rates. D. W. COFFIN, 42 Lombard. FINANCIAL-5 per cent. money on Indianapolis city property, or on city property in any county seat town, or on farm property anywhere in Indiana; we use our own funds; no delay; partial payments. Call or address C. N. WILLIAMS & CO., \$10 E. Market st.

STOCKHOLDERS HAVE VOTED TO IN-CREASE IT TO \$400,000,000.

America Again Leads in Having the Fastest Train in the World-Gen-

The stockholders of the Pennsylvania \$50,000,000 in convertible bonds. The in-

After the annual report had been adopted and other routine business transacted, First Vice President Green addressed the stockholders on the resolution authorizing the increase in the capital. He said that for the first time in its history the Pennsylvania Railroad Company is unable to handling the rapidly increasing business. mapped out. In the past two years, Captain Green said, the company had purchased one locomotive daily and a total of 40,000 freight cars. In Pittsburg alone an expenditure of \$10,-000,000 will be necessary to relieve the freight congestion and prevent its recurrence. The entire Pittsburg division is to be four-tracked, Captain Green stated, and continuing said: "We must build a new road from the summit of the mountain down to the Juniatia valley, and a new road practically from Harrisburg to Philadelphia. Our coal traffic is so enormous to do ought to be done promptly.

the Downington & Lancaster railroads.

Fastest Train in the World.

By an official change in the running time of the Southern express, the flyer of the not be done with safety. For more than 216 miles of the 440 between New York and Buffalo the Empire State makes the run at an average speed of more than sixty miles an hour. The highest speed is reached between Fairport and Rochester, where for nine miles the train maintains a speed of 66.33 miles an hour. The entire weight of the train is 405 tons. A European engineer who is studying the situation in the United States, upon a minute examination of the running time of the schedules of the two trains, admits the laurels belong to Amer-

serving in Cuba, Porto Rico, Manila and eral others, alleging unlawful freight rates. a, and when seat to sea have a fine oppor- The answer says the road has not united in substantially similar circumstances and conditions as the Columbus shipments, and says that the Chesapeake & Ohio's participation in the 20-cent rate from the Ohio points named to Richmond, and in the 11cent rate from Columbus to Richmond, is not unreasonable and prejudicial in favor of

Personal, Local and General Notes. ticket office at Germantown, Ind. The Pennsylvania Company is installing at its shops in Fort Wayne a ninety-five-

ton traveling crane, the largest ever erected in this State. W. C. Esga, who has been yard foreman of the Lake Shore at Youngstown, O., has been promoted to commercial agent for the

company at that place. J. H. Garraughty, formerly purchasing agent of the Hocking Valley road, will leave shortly for the Pacific coast on account of failing health.

Vice President Brown, of the Lake Shore, has issued an order that telegrams be cut

ing a conference of power officials. Lamb, of Terre Haute, accompanied him. Robert Henley, of Richmond, Ind., for some time employed by the Louisville &

Nashville, has been promoted to assistant civil engineer of the Pensacola division and will go to Florida. C. P. Benjamin, of the Canadian Pacific. who has been quite ill at Galveston, Tex., for a couple of weeks, was in 'he city yesterday. He is much improved, although

in time of service on the Erie railway, who begun his service on the old Atlantic & Great Western, has resigned, after running a train over half a century.

It is stated that the Pennsylvania intends to re-establish its twenty-hour train between New York and Chicago as soon as the freight congestion has been relieved, which is now rapidly being accomplished. It is stated that President Loree, of the don't lave thim two cars off the thrain

phia & Reading Company at its annual

S. Harris. The Chinese Eastern Railroad has in augurated steamship service from Dalny to Shanghai and from Dalny to Nagasaki for the conveyance of passengers. The jour-ney from Paris to Shanghai or to Nagasaki can now be accomplished in eighteen days. Isaac C. Colton, formerly a banker and railroad man, is dead at the home of his brother, Rev. W. S. Colton, at Toledo, O. He was connected with the building of the Brewery, Saloon Keeper and Property Wabash Railway in 1852 and with the construction of several roads in the Eastern

The Wabash extension into Pittsburg from Jewett, O., sixty miles, is almost in a straight line, stretching across valleys and tunneling hills to accomplish such results. The railroad company is sparing no pains to keep the line of even grade and

George T. Gunnip, general agent of the Santa Fe, was in the city yesterday. He has just returned from a three weeks' trip to the Pacific coast, and states that the Pacific coast business gives promise of being heavier this year than in any year since the coast became so popular a resort. A. D. Murray, who has been promoted on the Frisco line to general agent at St.

Louis, was in the city yesterday, accompanied by C. C. Spaulding and H. H. Powe, traveling freight agents, the latter being a | the suit for \$2,000 damages. new man in this territory. L. Liston, representing the Union Pacific, was also in the At the annual meeting of the stockholders of the Missouri Pacific Railway yesterday the following directors were elected: George J. Gould, Russell Sage, Edwin Gould, James H. Hyde, John D. Rockefel-

ler, jr., Frank J. Gould, Howard Gould, Samuel Sloan, Parmelee Prentice, Fred T. Gates, C. Warner, Russell T. Harding and W. Bixby. It is feared in railroad circles that should the dissatisfied employes of the Wabash strike it would spread to the Chicago & Eastern Illinois, the Chicago & Alton and that the trainmen on the four systems are

in a combination for the furtherance of

which the contest on the Wabash is merely an initiative measure. The action taken by the Chicago, Milwaukee & St. Paul in placing in service a new fast mail train between St. Paul, Minneapolis and Chicago bids fair to result in a speed war not only between the cities mentioned, but between Chicago and Omaha. The new train connects with a new mail train on the Great Northern and the Northern Pacific, and points along the coast are

brought six hours nearer Chicago. A call has been issued by the locomotive engineers of the Southeastern States for a general meeting at Huntington, Va. It is expected that one hundred engineers on the C. & O. and B. & O. and minor roads will be present. The object of the session has meet the demands made upon it. Vast im- been kept quiet, but it is rumored that provements have been made and are con- legislation which was refused by the last templated in order to furnish facilities for Legislature of Virginia will be discussed and some plan of action for the future

The National Railroad Association of The object of the association is mutual benefit and a good time at its meetings. In a business way the different divisions expect to secure some persons well informed in railroad and steamship affairs to give lectures at semi-monthly meetings. There is nothing of the labor union feature in it, and questions of that character will be carefully avoided.

For the first time in some months the yards of the different roads centering at Indianapolis are about cleared of delayed that it must be kept out of the way of freight. The last two or three weeks the roads have spared neither time nor expense to clear up the congestion, and are taking freight from one another, many of them for the first time in several weeks. Although there are large quantities of freight to be moved it is believed no such congestion will occur again as that of Feb-

> On Saturday a musical comedy will be given under unusual conditions. The "Prince of Pilsen" troupe, when en route final rehearsal before the opening of the musical comedy at the Broadway Theater the following week. There will be a fine orchestral accompaniment, but no spectators save quick glimpses by the inhabitants of rural towns as the flying train goes by. will be the first case on record of musical comedy on the rail.

The Interstate-commerce Commission has ordered a further hearing in what is known as the Southern merger case, to be held in New York city on March 27. This is the case brought by the Kentucky railroad commission against the Atlantic Coast line, the Southern Railway, the Louisville & Nashville, the Cincinnati Southern, the Cincinnati, New Orleans & Texas Pacific and the Chicago, Indianapolis & Louisville Railroad companies. The complaint alleges that the defendant lines aggregate 25,000 miles and have an operating income of more than \$130,000,000; and that J. P. Morgan & Co., of New York, has secured prac-

The Baltimore & Ohio Southwestern has its best engineers trying to solve the problem of stopping an immense landslide that has been coming down on its main tracks for several weeks, and is continually growing more threatening at Fritchton, Ind., where the company recently made a long and deep cut, shortening the track two miles. There is a mountain of clay 150 feet high that has broken loose from the Wampler farm, and is carrying trees and oles along in coming down on the track, eaving a breach 300 feet wide between the slide and the farm. It is said to be one of expensive freaks ever encountered by a railroad company. A steam ditcher and force of twenty-five men are kept busy night and day removing the clay from the main track, and meantime the company is puzzled to know what to do in the matter in a legal way, as the farmer who owns

S. C. CHAMBERS'S DIFFICULTY.

the land threatens to bring suit.

He Thinks His Wife Left Home with

mond, Va., during the times mentioned in two colored men who came from Edinburg the complaint. The company avers that its were in the city. When they were quesproportional rate from Columbus is reason- tioned about Mrs. Chambers, the men said able and just by reason of the application | she and another white woman were with of proportional rates from Louisville, Cin- them as far as Franklin, where they wantcinnati and other Ohio river crossings to ed to catch a train. The negroes said they Virginia cities on traffic destined to Wil- did not know the women. When the party mother, Mrs. Margaret Steele, now an inmington, N. C., and other Southern points | reached Franklin, the negroes said, the

The Way of Grief.

Alone, he walked the Way of Grief, With ashes on his head O'er faded bloom and withered leaf. With halting, heavy tread. Nor looked he out, nor looked he in. But ever on would fare. And thought for ages he had been

Full bitterly he trod the path, Nor stayed for rut or stone. He said: "Than me none other hath Gone out this way alone. None other hath this road essayed-This road of haunting fears— But that some one a balm hath made To stanch his burning tears."

Alone he walked the Grievous Way, Where there was never light; No sun to glad him in the day, Nor any star by night. His heart within his bosom swelled And in his angered mood

He raised his eyes. Lo, he beheld A countless multitude! -W. D. Nesbit, in Chicago Tribune.



HIS IDEA. Hundtswill-It seems that in all railroad accidents the first and last cars are always the ones that are injured. O'Rourke-Shure, an' I wonder why they

Owner the Defendants-Accident

Mr. and Mrs. Alexander Sample filed a suit yesterday against a brewery, a saloon keeper and the owner of property rented for saloon purposes for damages for the death of their son, which they aver was indirectly caused by Joseph Martin, a saloon keeper at 1321 English avenue, who sold intoxicating liquor to the boy. The plaintiffs name Martin, the Jung Brewing Company and Owen McAree, owner of the property rented to the saloon keeper, as defendants in

became involved in an altercation with to buy liquor in the saloon and for permitting him to loaf in the place. The complaint also charges Martin with running a disorderly saloon. On the theory that the boy would have been a wage earner for his family until he attained his majority and that the bills of physicians and burial expenses amounted

Esther Lindstrom Was Thrown from

Her Wheel and Injured. A bad sidewalk, a stake driven into it, and left protruding about six inches above the surface, a steep embankment, a bicycle and Miss Esther Lindstrom conspired to make the city of Indianapolis defendant in a damage suit filed in Room 3, Superior Court, yesterday. Miss Lindstrom was riding her wheel along Shelby street several months ago, and at the approach to the to the walk her wheel struck a stake which had been left there by the contractor who was repairing the sidewalk and threw her over the embankment and several feet down its side. When the woman was picked up she was found to be seriously hurt, and has been an invalid ever since, it is said. The bills for medical attention and the loss resulting from the confinement, and the fact that she will be crippled for life, caused the plaintiff to demand damages of \$18,000 from

Verdict Quickly Reached After

\$200 damages against Patrick W. Ward by onth a number of disagreements were reported by jurie's in trivial cases, and a great amount of work and expense has resulted

due Mrs. Nay on notes. The case was decided for the defendant at its first trial in

Lillian R. Neisler Wants Settlement. Lillian R. Neisler, in seeking a settlement of a note executed by the National Manufacturing and Supply Company, of this city, to secure a loan of \$1,000 made by her, prayed Judge Leathers, of the Superior Court, yesterday to appoint a receiver for the property of the company. The petitioner states that the firm is insolvent and has abandoned its property in this city. Mrs. Neisler wants a receiver appointed and also asks that he be given authority to sell the property and make all possible settlement with the creditors of the supply

Mamie G. Gardner entered a suit yesterday to recover \$1,000 damages from Arthur S. C. Chambers, of Edinburg, has asked | F. Light and George L. Maas, contractors. the police to assist him in looking for his Mrs. Gardner avers that the contractors wife, who he thinks is in this city. It was failed to fulfill the stipulations of the conreported by Chambers that his wife left | tract with her for the erection of a home in the Arsenal Park addition. She alleges her home in company with a colored man, that the house was built cheaply, and that taking with her \$1,600 in money. The de- daylight can be seen through some cracks tectives yesterday afternoon learned that | in the roof and other places supposed to be

built more solidly. Guardian of His Mother. Edmund Steele furnished a bond of \$50,000 yesterday to qualify as guardian of his mate of the Central Hospital for the Insane. Mrs. Steele is a daughter of the late Peter F. Bryce, and was named in his will as a beneficiary to the extent of \$25,000

pany. Contesting Will of Her Uncle. Judge Allen, in the Circuit Court, is hear-

ing the testimony in the case of Amanda Crozier in contesting the will of Isaac Coyle. The plaintiff is a niece of the testator, and claims to have been unfairly treat-

ed in the last will of her uncle.

Room 1-John L. McMaster, Judge.

Room 2-James M. Leathers, Judge. J. R. Myers vs. J. A. Hurton; replevin. On trial by court. Oscar M. Carmen vs. City of Indianapolis; damages. Evidence heard. Judgment vs. defendant for \$47. Christ. Warweg vs. H. W. Warweg; on note. Dec. 2, 1902. Judgment confessed for Joseph A. Fries vs. Andrew Wiedenthal: note. Confessed judgment for \$222.84 against

James C. Eaton, by next friend, vs. Parry Manufacturing Company; damages. Dismissed. Costs against plaintiff. koom 3-Vinson Carter, Judge. Mary Morrison vs. Patrick W. Ward: damage. Jury return verdict for plaintiff

Henry Clay Allen, Judge. William J. Warner vs. Clinton H. De Bolt et al.; defendants defaulted. Submitted to court, finding for plaintiff. Judgment against defendant for \$2,756 and costs, without relief. The National Casket Company vs. City

Indianapolis. Dismissed by plaintiff CRIMINAL COURT. Fremont Alford, Judge. Peter Garbison; burglary. Motion file

for a new trial, argument had, motion

NEW SUITS. Gray & Gribben vs. Maud Brown; re-Circuit Court. Mary Ryan vs. Michael Ryan; divorce. Superior Court, Room 2. Luella P. Barneelo vs. Oliver M. Barneelo; divorce. Superior Court, Room 2 Maud Samuels vs. Levi Samuels et al.; support. Superior Court, Room 3. Fred P. Myers vs. Carrie Myers; divorce. Superior Court, Room William Brown vs. Harry Trout; judgment on note. Circuit Court. Susan F. Stewart vs. George W. Stewart; divorce. Superior Court, Room Esther Lindstrom vs. City of Indianapolis; damages. Superior Court, Room 3. Mamie G. Gardner vs. Arthur F. Light

Court, Room 1. Rosa Prince vs. Moses Prince; divorce. Superior Court, Room 1. William Williams vs. Anna Williams; divorce. Superior Court, Room 3. Abbie J. Wayland vs. Howard C. Wayand; divorce. Circuit Court. Alexander Sample vs. Joseph Martin et al.; damages. Supreme Court, Room 1.

HIGHER COURTS' RECORD. SUPREME COURT.

-Minutes .-19872. Frank P. Seiter vs. State ex rel. Board of Commissioners. De Kalb C. C. Appellant's petition for rehearing. Appellant's brief on petition (8.) Petition of Board of Commissioners for leave to file brief on petition. 19876. Vincent Ginn vs. State of Indiana. Henry C. C. Appellee's petition for leave

to file brief. 20026. State ex rel. Kiefer vs. Wheatley. Tipton C. C. Affirmed-Jordan, J. 1. Where a person brings an action to expel another from the office of county assessor and have himself declared such official, in his complaint, he must show his eligibility and that he had been legally elected to such office, and that he had duly qualified as the law exacts. 2. To be qualified to take possession of

an office, or enter upon the discharge of its duties, means the performance of the acts which the person elected or appointed must under the law perform, before he can to a considerable sum, the Samples ask the court to award them a judgment for \$2,000 enter upon the discharge of the duties 19704. Alexander vs. Spaulding. Wells C C. Affirmed-Hadley, C. J.

Where a complaint is bad, it makes no difference whether an answer thereto is good or bad. 2. Under the statute (Burns 1901, Sec. 3396 and 3398) there are three kinds of implied trusts, and to recover therefor the complaint must aver facts sufficient to bring the action within such statute. 20058. Mason vs. Mason. Allen S. C. Petition for rehearing overruled. 20057. Sulzer etc. Company vs. Water Company. Rush C. C. Same.

APPELLATE COURT. -Minutes.-4678. Samuel E. Perley et al. vs. Edward C. Westervelt et al. St. Joseph C. C. Ap-4068. Alfred Guthrie vs. Adda T. Howland Martin C. C. Appellant's petition and brief (8) for rehearing. 4269. Ogle vs. Hudson. Greene C. C. Affirmed-Wiley, J. 1. Where a principal employs an agent or servant, and directs him to act under certain conditions, and commits to his discretion the duty of determining when

and what action may be necessary, the principal will be responsible for the misgment or misconduct of the agent. 4261. Franklin Insurance Company Wolff. Laporte S. C. Affirmed-Black, C. J. 1. The rules of court constitute part of the law, and cannot be wholly waived or ignored in the court by which they have been adopted and published. 2. That the trial court refused to require

the jury to answer interrogations submit

ted in connection with their general verdict, is a reason in a motion for a new but cannot be made the subject of an independent assignment of error. Union Trust Company vs. Shilling Clarke C. C. Affirmed-Roby, C. J. Where corporation loaned money, and the borrower in his obligation agreed to attorney's fee, and the corporation receiver, the borrower is chargeable with amount of money received by him, with 6 per cent. interest thereon, and is not chargeable with the attorney's fees provided in the bond. 4598. Webb vs. Farley. Lake S. C. Dis-

missed.

4608. Johnson vs. Johnson. Huntington C. 4128. Stone Company vs. Steele. Orange C. C. Appellant granted thirty days from date to file reply brief. 4234. Bird Transfer Company vs. Krug Marion C. C. Appellee granted five days from date to file brief or petition for re-4564. Underwood vs. Dickard. Monroe C. C. Appellee granted thirty days from date to file brief on cross errors. 4729. Baltimore & Ohio Southwestern Railroad Company vs. Gillard. Clark C. C. Appellant granted leave to amend assign-

NOTES OF RECENT OPINIONS. In case of the death of two persons in a common calamity it is held, in United States Casualty Company vs. Kacer (Mo.) 58 L. R. A., 436, that there is no presumption of survivorship.

A locomotive engineer is held, in State

ex rel. I. &. L. Grocery Company vs. Land (La.) 58 L. R. A., 407, not to be a laborer within the meaning of a statute exempting the wages of a laborer from seizure. For a butcher to sell meat to his customers on the Lord's day is held, in Arnheiter vs. State (Ga.) 58 L. R. A., 392, not to be a work of "necessity or charity," within the exception of a statute forbidding any person to pursue his business or work on the

A telegraph company which, upon order by telegraph, issues and delivers its check by mistake to the wrong party, is held, in Burrows vs. Western Union Telegraph Company (Minn.) 58 L. R. A., 433, to be liable in the amount thereof to an innocent purchaser for value.

The owner of a dwelling house, which he

himself occupies as a home, is held, Swift vs. Broyles (Ga.) 58 L. R. A., 390, to be entitled to just compensation for the annoyance and discomfort occasioned by noxious substances sent out into the air by the maintenance of chemical works on adjoining premises. An act providing for the deduction of a percentage from the salaries of public and referendum is demanded and the re-

school teachers to provide a pension fund for their benefit is held, in Hubbard vs. State ex rel. Ward (Ohio) 58 L. R. A., 654, to be unconstitutional either for lack of uniformity, or as taking of private property from one citizen for the benefit of another.

If one in charge of an electric car, seeing that a horse is frightened by the ap- in the State University and the Democratic proach of the car, and that its driver is in danger, continues to sound the gong or ring the bell, and further frightens the horse and causes it to run away, the car company is held, in Oates vs. Metropolitan Street Railway Company (Mo.) 58 L. R. A., to be liable for the injuries thereby caused to the driver.

A statute exempting to married men or heads of families their earnings for personal services rendered within sixty days next preceding the levy of execution, by garnishment or otherwise, being reasonable. and directed to the remedy, and not the right, is held, in Kirkman vs. Bird (Utah) 58 L. R. A., 669, not to be an unconstitutional impairment of the obligation of contracts entered into prior to its passage. A plaintiff in a pending action for penalties allowed by a statute is held, in Cleveland, Columbus, Cincinnati & St. Louis Railway Company vs. Wells (Ohio) 58 L. R. A., 651, to have no such vested right in Railway Company; damages. On trial by such penalties before the recovery of a line between Addicks, who wanted to buy judgment in such action as will render un- a senatorship with his own money and run constitutional as to him the repeal and it for his own interests, and other men vided in the amended statute that it shall apply to all actions pending

The act of an employe in charge of a gravel train, who, after having tried in vain to prevent urchins from hanging to the end of the train by warnings and threats, catches one of them and lectures him, is held, in Palmisano vs. New Orleans City Railway Company (La.) 58 L. R. A., 405, not to render the master liable where the child, upon being released, runs blindly in a direction converging with that of a coming car, and collides with the car, and is injured.

Shiloh Commission Meets.

The Shiloh Monument Commission held a short meeting in the Statehouse yesterday afternoon to complete arrangements for the Anheuser-Eusch Brewing Association vs. dedication ceremonies. The completed programme will be given out after definite acceptances have been received from some of the dignitaries invited to deliver addresses on the occasion. Senator Beveridge will probably be the principal speaker.

Money for Uncle Sam. Customs duty of \$476.03 was paid by Geo.

Mannfeld & Sons, tailors, of North Pennsylvania street, on English woolens imported from London. They are the largest direct importers of woolens for men's wear in the AMUSEMENTS.

ENGLISH'S Two Nights and Friday, March 13

SEATS READY TC.DAY

GRACE GEORGE Supported by Robert Lorraine and an admirable company of fifty people, including Annie Ward Tiffany, in William A. Brady's satisfying production of Frances Aymar

"PRETTY PEGGY" A COMEDY OF STAGE LIFE IN OLD ENGLAND PRICES-\$1.50, \$1, 75c, 50c, 25c. Seats ready to-day.

TO-DAY-"THE BANDIT KING" HIM TO-MORROW, FRIDAY, SATURDAY

JAMES H. WALL CK'S Magnificent Production of the Great Sensational Drama

The Cattle King

Filled with Exciting Scenes and Incidents. The Eight Wonderful Horses in their Great Race and in a New Act.

PRICES-10c, 20c, 30c. Daily Matinee. Everybody goes to the Park. March 16, 17, 18-"Pickings from Puck."

ZENGLISH'SZ

AFTERNOON and TO-NIGHT

AMUSEMENTS.

Mathews's play

Two carloads of scenery and effects Prices-\$1.50, \$1, 75c, 50c, 25c.

THURSDAY, MARCH 12-ONE NIGHT ONLY, MRS. LANGTRY and her company presenting TH CROSS-WAYS Prices-\$2, \$1.50, \$1, 75c, 50c, 25c. Seats now ready.

FASHIONABLE VAUDEVILLE

ORIENTAL Adelaide Herrmann Magic BILLY CLIFFORD HANK WHITCOMB GALETTI'S MUSICAL DOGS ZARA & ZARA TURNER'S PICKANINNIES BIOSCOPE Matinees Daily, all seats 25c.

EMPIRE THEATER Wabash and Delawarz Sts. ONE WEEK ONLY Commencing Monday Matinee, March 9 Matinee Daily. .ROBIES' KNICKERBOCKERS..

Prices of admission-10c, 15c, 25c, 50c. Next week-"Clark's Royals." Telephone (1317) New. PHYSICIANS.

DR. C. I. FLETCHER.

8—BIG ACTS—8

RESIDENCE—1028 North Pennsylvania street. OFFICE—713 South Meridian street. Office Hours—9 to 10 a. m., 2 to 4 p. m., 7 to 8 D. m. Telephone—Residence, new, 427; old, 1991

SPEECH TO MICHIGAN DEMOCRATS ON UNITED STATES SENATORS.

Corporations Alleged to Control the Upper Branch of Congress-Judicial Convention.

DETROIT, Mich., March 10 .- Without the presence of William Jennings Bryan, who made an address at the morning session, to-day's Democratic state judicial convention at the Light Guard Armory would have been featureless. Judge George L. Yaple, of Mendon, who is the nominee for Supreme judge for a term of ten years, to succeed Judge Frank A. Hooker, was nominated without any other name being presented to the convention. For regent of the State University Wellington B. Burt, of Saginaw, was left in undisputed possession of the field before the first ballot was completed. Dr. Welsh and Mr. Dickson were candidates again for a second vacancy on the board of regents but were defeated by

Willis J. Abbott, of Battle Creek, editor of the Pilgrim Magazine. The resolutions adopted merely bespeak the support of "thoughtful citizens for those principles of government which find expression through the national platforms of the party." This is the only reference made to national platforms. The initiative cent coal strike is taken as an indication of the necessity for the municipal ownership of public utilities. The resolutions deprecate judicial participation in the manipulating of conventions and the activities of ante-convention politics. Pride is expressed party is pledged to continue its efficiency by every means in its power consistent with economy. No mention was made in

the convention of Democratic presidential possibilities.

In addressing the convention Mr. Bryan "No Democrat has reason to be despondent. We must not work on the principle of expediency. We must be sure we are building on the right ground. There never was a time when there was greater need for the application of Democratic principles than to-day. Down East in Delaware I learned more about some other things than about future candidates for the presidency. I found that many Republicans were fighting against a man named Addicks. I found that in some places threequarters of the voters had received money for their votes. But I could not draw the amendment of the statute, when it is pro- | who buy office for a corporation and run it for the interests of the corporation. What, my friends, do you say of men who buy senatorships with the money of corporations and go to Congress as slaves of the corporations? The Senate would not even take up for consideration the House bill for the control of trusts. These men are worse than Addicks. If you wanted anything from the Delaware man you would talk to Addicks, but in these other cases you would have to go to the masters of the officeholder. I can't draw a distinction between the men who sell their votes for \$5 and the one who makes a million trading in party policies. I remember a case where P. Morgan made millions on a matter of Republican policy. All the difference be-tween Addicks and the rest is that he confessed openly to what the others do se-

> "I have been accused of preventing harmony. No man wants harmony more than I do, and no one has suffered more for lack of it than I have. But you can't keep in one organization men who want to cut each other's throats. They accuse me of saying hard things about Cleveland. never said anything about him so hard as did President McKinley, who said: 'Cleveland is trying to make money the master and all things else the servant.' I am not ashamed of my humble part I may have ashamed of my humble part I may have had in driving out of the Democratic party a man who tried to make money the master and everything else the servant. I want him in some other party than ours. I would be glad to help organize one for his exclusive use."
>
> | Maif-hour mark, to and including 6:30 p. m. and which time a car will leave at 8:30 p. m. and including 6:30 p. m. and which time a car will leave at 6 a. m. the next at 7:20 a. m., and every hour thereafter, on the half-hour mark, to and including 7:20 p. m. after which time a car will leave at 10 p. m. Hourly service from Mooresville to Brooklyn.

cretly.

THE SUNDAY JOURNAL \$2.50 PER YEAR.

RAILROAD TIME CARD.

'.M. time is in BLACK figures. Trains marked thus: "Daily: S-Sleeper: P-Parlor Car: C-Chair Car: D-Dining Car: t-Except Sunday: t-Sunday only. tDaily except Monday

BIG FOUR ROUTE.

City Ticket Office, No. 1 East Washington St. CLEVELAND LINE. Arriva. Cleveland express..... .4.40 *10.10 . 0.45 8.15 leveland, New York and Boston ex, s. *8.00 *11.45 New York and Boston limited, d s.... 2.55

N. Y. and Bos. "Knickerbocker," d s. *6.25 BENTON HARBOR LINE. Renton Harbor express 6.45 ST. LOUIS LINE. 4.45 lkhart accommodation "The World's Fair Route" t, Louis southwestern, lim, d s.......*11.45 erre Haute and Mattoon accom ..

3.25 m....5.00 Louis express, s......10.40 Kankakee accommodation...... hicago fast mail, d p..... hicago White City special, d p...... 3.30 Chicago night express. S. CINCINNATI LINE. *12.05 Cincinnati express, s.....*8.45 *11.40

SPRINGFIELD AND COLUMBUS LINE. CIN., HAM. & DAYTON RY. City Ticket Office, 25 W. Wash. St. Cin. and Dayton ex, p ... +10.40 *10.35

Cincinnati and Dayton express *7.02

SPRINGFIELD DIVISION (C., L& W.

Chicago fast mail, s, pd*7.00

Lake Erie & Western R.

Toledo, Chicago and Michigan ex 17.15 *10.29 Toledo, Detroit and Chicago lim 12.20 +3.25 Muncie, Lafay'te and Mich. C'y spec. 17.25 +10.25 Philadelphia and New York........... Baitimore and Washington......... Piqua and columbus, O "7.20 "10.40 ouisville Accommodation.....*8.05 ogansport and Chicago.....

Phil. and New York. "The Limited".

Logansport and Chicago11.05 VANDALIA LINE. erre Haute, St. Louis Western Express.....*3.30 Terre Haute and Effingham Acc.....†4.00

outsville and Madison......

UNION TRACTION CO. OF INDIANA.

Station, Magnolia Building, Corner Kentucky and South Capitol. For Anderson, Muncie, Marion, Alexandria Elwood and Tipton and intermediate station leave 4:15 a. m. and each hour thereafter until 5:15 p. m. and 11:15 p. m.
Limited trains for Anderson and Muncie, arriving in Anderson in 1 hour and 25 minutes and Muncie in 2 hours, leave at 8 and 11 a. m. and 2 and 5 p. m. The 11 a. m. and 5 p. m. trains make direct connection at Anderson with limited trains for Elwood. Express cars leave Indianapolis station, corner Kentucky and S. Capitol avenues, for Muncle and Anderson at 4:30 a. m. and 2:30 p. m. Morn-ing car makes direct connection with express car for Elwood, Marion and Alexandria.

GREENFIELD LINE. General Offices, Franklin Building.

INDIANAPOLIS & EASTERN R. R. CO.

For Greenfield, Knightstown and intermediate stations. Passenger cars leave Meridian and Washington streets. First car 5:55 a. m. (except Sunday, when first car leaves at 6:55 a, m.) and nourly thereafter until 9:55 p. m. Next and last car leaves at 11:15 p. m. Combination passenger and express cars leave Meridian and Washington streets at 5:55 a. m., 7:55 a. m., 11:55 a. m., 3:55 p. m., 7:55 p. m.

—Freight Cars.—

For Greenfield and intermediate stations only. Arrive at Georgia and Meridian streets at 7:37 a. m. and leave at 9 a. m. Also arrive at 2:27 m. and leave at 3:30 p. m.

INDIANAPOLIS, SHELBYVILLE & SOUTHEASTERM TRACTION COMPANY.

Cars leave Indianapolis for Shelbyville and all ntermediate stops from the corner of Washington and Meridian streets on the following hours: . 7. 8. 9. 10, 11 o'clock a. m. 12 o'clock noon, and 2. 3. 4. 5. 6. 7. 9 and 11:15 o'clock p. m. Cars leave Shelbyville for Indianapolis and all intermediate stations as follows: 6, 7, 8, 9, 10, 11 o'clock a. m., i2 o'clock noon, and 1, 2, 3, 4, 5, 6, 7, 8 and 10-30 o'clock p. m.
Round-trip tickets, Indianapolis to Shelbyville, can be purchased at Huder's drug store, corner Washington and Pennsylvania streets, and at the E. E. Ensley's pharmacy, Stubbins Hotel block.

INDIANAPOLIS, GREENWOOD & FRANKLIN R. R. CO. Passenger cars leave Pennsylvania and Wash.

ington streets. First car at 6 a. m. and hourly thereafter until 10 p. m. Last car leaves at 11:15 Combination passenger and express leaves Georgia and Meridian streets for Greenwood only at 9:30 a. m. and 9:30 p. m. INDIANAPOLIS & MARTINSVILLE

RAPID TRANSIT CO.

For Mooresville and Intermediate points: First car leaves Kentucky av. and Washington st. at 6:30 a. m., and every hour thereafter, on the half-hour mark, to and including 6:30 p. m., after

STORAGE.

FINANCIAL.

eral and Personal Notes.

Railroad Company in annual meeting yesterday voted to increase the capital stock of the company by \$150,000,000, making the total authorized capital \$400,000,000. Of the increased capital \$100,000,000 will be issued the Illinois Central. It is even asserted in straight stock and the directors are given the option of issuing the remaining crease will be ratified by a stock vote two weeks from to-day, as required by law. The stockholders also voted to lease for a period of twenty years the Western New

York & Pennsylvania Railroad.

the passenger traffic. What we propose The new issue of stock and bonds will be made by the directors at their meeting on March 24, when the annual election takes place. Six roads controlled by the Pennsylvania Railroad, but built under a separate charter, were, on a resolution, ab- | ruary, sorbed. They are: The South Fork, the Westchester, the River Front, the Western Pennsylvania, the Turtle Creek Valley and

Orleans Railway of France, the Empire State express of the New York Central has regained the title of the fastest train in the world. The Empire State express has now been running for ten years, and was not excelled until the Orleans flyer from Paris to Vienna was inaugurated. The Southern express then humbled the Empire State, for it made the entire run of 483 miles in a few minutes less than eight hours, its average speed, including stops, being fifty-four miles an hour. The Southern express had thus accomplished what the railroad flyers of all other na- tically the controlling management of all of tions had failed to do. There were many complaints that the train failed to make its daily record run according to schedule, and the Southern express was wrecked and several lives lost. Traffic officials then concluded that the train was scheduled too fast, and extended it an hour. During the period of its humiliation the Empire State express made no effort to increase its running time. Traffic officials of the New York Central believed that it could

Answer to Hay Shippers. pany has filed with the Interstate-commerce Commission an answer to the complaint of J. S. and L. W. Dewey, Ohio hay any joint tariff of the character cited in the complaint, nor has it participated in any tariff naming a 9\%-cent rate per hundred pounds from Columbus, O., to Richbeyond Richmond. The answer denies that | women left them. the shipments from the Ohio points named, other than Columbus, were hauled under

The Panhandle has closed its freight and

down, and that much work now done by telegraph be sent by letter. W. C. Arp, superintendent of motive pow-er of the Vandalia, and H. Demerest, of the Panhandle, are in Philadelphia attend-William R. McKeen, ex-president of the Terre Haute & Indianapolis, has gone to Arizona to spend a few weeks. John E.

not wholly recovered. Lynch Allen, one of the oldest conductors

Baltimore & Ohlo, is to be elected to a don't lav membership on the board of the Philadel- entoirely.

phia & Reading Company at its annual BOY'S DEATH CAUSES SUIT

MR. AND MRS. ALEXANDER SAMPLE

MAKE DEMAND FOR \$2,000.

to Esther Lindstrom. and George L. Maas; damages. Superior

The complaint recites that Ralph Sample. age seventeen, drank intoxicating liquors to excess in Martin's saloon last August and Charles McAree, who was also a visitor at the place. In the quarrel which ensued young Sample was fatally stabbed, and on Aug. 3 died. It is alleged that Martin violated the law by permitting the minor

against the three defendants. **DEMAND FOR \$18,000.**

SPECIAL INSTRUCTIONS.

They Had Been Given. Mary Morrison was granted a verdict for a jury in Room 3, Superior Court, yesterday, after Judge Carter had given additional instructions to the jury. The jury from Cincinnati to New York, will give the | reported a disagreement after being out twenty hours, but Judge Carter instructed them to proceed to an agreement and sent them back to the jury room. In his instructions Judge Carter told the jurors that they should exercise some judgment in their deliberations, and that great expense to individuals and to the county should not be caused by the obstinacy of one or two men on a jury in a civil law suit. The special instructions were given inasmuch as in the courts during the past

> Mrs. Nay Said to Be Sane. Emma B. Nay was declared sane yesterfrom the administration of her guardian, Dr. Sollis Runnels. Mrs. Nay has been completely cured in a year's treatment in an Eastern sanatorium and is again competent to manage her property. Her name will be substituted for that of Dr. Runnels in the suit now pending against an estate for the collection of money alleged to be

the Circuit Court, but will be heard again

Says House Was Poorly Built.

worth of stock in the Bryce Baking Com-

THE COURT RECORD. SUPERIOR COURT. Robert Foster, jr., vs. Citizens' Street-Railway Company; damages. Jury re-turned verdict for defendant. Ida Wains vs. The Indianapolis Street-

Peter T. Cunningham vs. Lydia M. Cunningham; divorce. Dismissed. Costs against plaintiff.

Othman Keller; note. On trial by jury. CIRCUIT COURT.